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APR 8 2003

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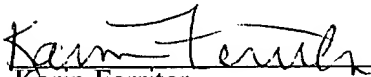
Mark R. Benedict
Knobbe Martens Olsen & Bear, LLP
620 Newport Center Drive, 16th Floor
Newport Beach, CA 92660

Re: Patent Term Extension
Application for
U.S. Patent No. 4,874,794

Dear Mr. Benedict:

A certificate under 35 U.S.C. § 156 is enclosed extending the term of U.S. Patent No. 4,874,794 for a period of 5 years. While a courtesy copy of this letter is being forwarded to the Food and Drug Administration (FDA), you should directly correspond with the FDA regarding any required changes to the patent expiration dates set forth in the Patent and Exclusivity Data Appendix of the Orange Book (Approved Drug Products with Therapeutic Equivalence Evaluations) or in the Patent Information set forth in the Green Book (FDA Approved Animal Drug Products). The sample format for submitting information regarding the patent and the patent expiration date to the Orange Book is available on the FDA Internet web site at: <http://www.fda.gov/cder/orange/patdecl.pdf>.

Telephone inquiries regarding this communication should be directed to the undersigned at (703)306-3159.


Karin Ferriter
Senior Legal Advisor
Office of Patent Legal Administration
Office of the Deputy Commissioner
for Patent Examination Policy

cc: David T. Read
Health Assessment Policy Staff
Acting Director Health Assessment Policy Staff, CDER
Food and Drug Administration
1451 Rockville Pike, HFD-7
Rockville, MD 20852

RE: ABREVA® (docosanol)
FDA Docket No.: 01E-0090

UNITED STATES PATENT AND TRADEMARK OFFICE

(12) CERTIFICATE EXTENDING PATENT TERM UNDER 35 U.S.C. § 156

(68) PATENT NO. : 4,874,794
(45) ISSUED : October 17, 1989
(75) INVENTOR : David H. Katz
(73) PATENT OWNER : AVANIR PHARMACEUTICALS
(95) PRODUCT : ABREVA® (docosanol)

This is to certify that an application under 35 U.S.C. § 156 has been filed in the United States Patent and Trademark Office, requesting extension of the term of U.S. Patent No. 4,874,794 based upon the regulatory review of the product ABREVA® (docosanol) by the Food and Drug Administration. Since it appears that the requirements of the law have been met, this certificate extends the term of the patent for the period of

(94) Five years

from April 28, 2009, the original expiration date of the patent, subject to the payment of maintenance fees as provided by law, with all rights pertaining thereto as provided by 35 U.S.C. § 156(b).



I have caused the seal of the United States Patent and Trademark Office to be affixed this 3rd day of April 2003.


JAMES E. ROGAN

Under Secretary of Commerce for Intellectual Property and
Director of the United States Patent and Trademark Office